

Bulletin Summary of Proposed Rulemakings

PUBLIC NOTICE OF INTENT TO PROPOSE OR PROMULGATE NEW OR CHANGED AGENCY RULES

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the new issue of the state Administrative Bulletin.

IDAPA 01 – STATE BOARD OF ACCOUNTANCY P.O. Box 83720, Boise, ID 83720-0002

Docket No. **01-0101-0201**, Idaho Accountancy Rules. Repeal of chapter. Comment by: 7/24/02.

Docket No. **01-0101-0202**, Idaho Accountancy Rules. Rewrite of chapter addresses education and experience requirements to sit for CPA Exam and become licensed; ability for licensees to practice across state lines via a streamlined process; recognition of foreign credentials; non-licensee ownership of firms; acceptance of commissions and contingent fees; issuance of inactive and retired status licenses; and allowing licensees to issue plain paper financial statements. Comment by: 7/24/02.

Docket No. **01-0101-0203**, Idaho Accountancy Rules. Updates fee structure to allow the Board to recover the actual expenses incurred for providing services and administering programs. Comment by: 7/24/02.

IDAPA 02 – DEPARTMENT OF AGRICULTURE P.O. Box 790, Boise, ID 83701

Docket No. **02-0212-0201**, Bonded Warehouse Rules. Clarifies the following: when the Department will issue duplicate licenses; extensions for filing financial statements; exemptions from requirement to pay, collect or remit assessments; requirements to pay indemnity fund assessments and amount required; and allows for the acceptance of records held in an electronic format. Comment by: 7/24/02.

Docket No. **02-0213-0201**, Commodity Dealers' Rules. Clarifies the following: when the Department will issue duplicate licenses; extensions for filing financial statements; exemptions from requirement to pay, collect or remit assessments; and allows for the acceptance of records held in an electronic format. Comment by: 7/24/02.

Docket No. **02-0215-0201**, Rules Governing the Seed Indemnity Fund. Provides for a Seed Indemnity Fund and a seed buyer license. For licensure seed buyers must fill out an application, provide a current and sufficient policy of insurance covering loss, provide a sufficient bond and will be responsible for the collection and remittance of seed indemnity fund assessments. Comment by: 7/24/02.

Docket No. **02-0403-0201**, Rules Governing Animal Industry. Rule sections dealing with Brucellosis have been moved to a new chapter - 02.04.20. Those sections dealing with the import of animals have been moved to a new chapter - 02.04.21. Comment by: 7/24/02.

Docket No. **02-0420-0201**, Rules Governing Brucellosis. New chapter of rules updates and modernizes the brucellosis program in accordance with the National Brucellosis Program Standards and state law. Comment by: 7/24/02.

Docket No. **02-0421-0201**, Rules Governing the Importation of Animals. New chapter updates and modernizes import requirements in accordance with state law and federal regulations. Comment by: 7/24/02.

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE P.O. Box 83720, Boise, ID 83720-0036

Docket No. **16-0210-0201**, Idaho Reportable Diseases. Defines "waterborne outbreak," and deletes definition of "week"; updates incorporation by reference section, adds 5 conditions detectable by newborn screening and 3 infectious diseases; and updates reporting timeframes. Comment by: 7/24/02.

Docket No. **16-0612-0201**, Rules Governing Procedures and Testing to Be Performed on Newborn Infants. Repeal of chapter. Comment by: 7/24/02.

Docket No. **16-0612-0202**, Rules Governing Procedures and Testing to Be Performed on Newborn Infants. Rewrite of chapter updates terminology and clarifies newborn screening responsibilities and procedures to be followed to ensure all infants are screened appropriately after birth. Comment by: 7/24/02.

Docket No. **16-0304-0201**, Rules Governing the Food Stamp Program. Revises work and training activities for Food Stamp participants; specifies criteria for determining a voluntary job quit or reduction in number of hours of employment and requirements to re-establish eligibility after a job quit or reduction in hours. Comment by: 7/24/02.

Docket No. **16-0308-0201**, Rules Governing Temporary Assistance to Families in Idaho. Implements changes regarding work and training activities; specifies that cooperation with Child Support Services includes assigning to the state child support payments received while the family is receiving TAFI; implements increase to the TAFI grant as provided by legislative authorization; and changes the maximum monthly TAFI grant to \$309. Comment by: 7/24/02.

Docket No. **16-0309-0207**, Rules Governing the Medical Assistance Program. Independent Residential Habilitation Providers who provide services in the consumer's residence will need to be employed by a Residential Habilitation Agency. The Department will no longer issue payments directly to Independent Personal Care Services, Residential Habilitation Services Providers and residential habilitation providers, who provide services in their home, as a Certified Family Home, must be affiliated with a Residential Habilitation Agency. Comment by: 7/24/02.

Docket No. **16-0602-0201**, Rules Governing Child Care Licensing. Addresses the placement of children in therapeutic outdoor camps not previously covered under the childcare licensing rules. Comment by: 7/24/02.

**IDAPA 18 – DEPARTMENT OF INSURANCE
P.O. Box 83720, Boise, ID 83720-0043**

Docket No. **18-0132-0201**, Qualifications of Licensed Insurance Consultants. Repeal of chapter. Comment by: 7/24/02.

Docket No. **18-0142-0201**, Listing Fee-Surplus Lines Insurers. Repeal of chapter. Comment by: 7/24/02.

Docket No. **18-0143-0201**, Certification of Fire Inspectors. Conforms to a statutory change from using the Uniform Fire Code to the International Fire Code. Comment by: 7/24/02.

Docket No. **18-0149-0201**, Fire Protection Sprinkler Contractors. Conforms to statutory change from using the Uniform Fire Code to the International Fire Code; corrects a technical reference. Comment by: 7/24/02.

Docket No. **18-0153-0201**, Continuing Education. Rewrite of state law requires rule to be updated and includes reciprocity requirements, electronic renewal of licenses, and allows director to deny an individual or firm to offer a program of instruction if their license has been revoked or suspended. Comment by: 7/24/02.

Docket No. **18-0162-0201**, Annual Audited Financial Reports. Changes conform to the NAIC model audit rule adopted in December 2001 regarding indemnification and mediation/arbitration. Comment by: 7/24/02.

Docket No. **18-0178-0201**, Mutual Insurance Holding Company Rules. Changes filing date for the mutual insurance company's annual financial statement so it coincides with the filing date of the affiliated insurer's audited financial statement from April 1 to June 1. Comment by: 7/24/02.

**IDAPA 21 – DIVISION OF VETERANS SERVICES
320 Collins Road, Boise, ID 83702**

Docket No. **21-0105-0201**, Rules Governing Medical Transportation Payment for Wheelchair Confined Veterans. Provides for a wheelchair confined veterans transportation payment pilot project for the period of 7/1/02 to 6/30/03. Comment by: 7/24/02.

IDAPA 45 – IDAHO HUMAN RIGHTS COMMISSION**P.O. Box 83720, Boise, ID 83720**

Docket No. **45-0101-0201**, Rules of the Idaho Human Rights Commission. Removes language that required the Commission to serve a complaint of discrimination on a Respondent and its determination of probable cause or no probable cause to believe that discrimination had occurred on the Complainant and the Respondent by certified mail. Comment by: 7/26/02.

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY**1410 N. Hilton, Boise, ID 83706-1255**

Docket No. **58-0102-0202**, Water Quality Standards and Wastewater Treatment Requirements. Changes cover design, construction, installation, operation, release detection, closure and financial assurance requirements for UST systems and with some modification, incorporates the technical standards for UST system owners and operators found in 40 CFR Part 280. Comment by: 7/31/02.

Docket No. **58-0103-0201**, Individual/Subsurface Sewage Disposal Rules. Provides greater detail to DEQ and health districts for determining when central wastewater treatment facilities are reasonably accessible for new development and for issuing subsurface sewage disposal permits; establishes the conditions in which septic systems are an acceptable alternative to central wastewater treatment facilities; revises the estimate of wastewater flow from single family dwellings; revises the list of systems installed by complex septic system installers; deletes the exemption from licensure requirement for public works contractors and specifies that general contractors do not qualify for the exemption; revises the separation distance to surface waters by adding additional categories for watertight pipe (irrigation) and tiled ditches; and adopts additional siting criteria. Comment by: 7/31/02.

Docket No. **58-0107-0201**, Rules for Owners and Operators of Underground Storage Tanks and Leaking Petroleum Storage Tanks. New chapter covers design, construction, installation, operation, release detection, closure and financial assurance requirements for UST systems and with some modification, incorporates the technical standards for UST system owners and operators found in 40 CFR Part 280. Comment by: 7/31/02.

Docket No. **58-0108-0102**, Idaho Rules for Public Drinking Water Systems. Updates obsolete provisions, adds flexibility where possible and appropriate, and clarifies language to incorporate new engineering standards dealing with design, construction, and operation of public water systems. Comment by: 7/31/02.

Docket No. **58-0108-0201**, Idaho Rules for Public Drinking Water Systems. Adopts the EPA Filter Backwash Recycling Rule and the Long Term 1 Enhanced Surface Water Treatment Rule for public drinking water systems. Comment by: 7/31/02.

SCHEDULED PUBLIC HEARINGS

Public hearing have been scheduled for the following dockets:

Department of Agriculture

Docket No. **02-0420-0201**, Rules Governing Brucellosis.

Department of Health and Welfare

Docket No. **16-0309-0203**, Rules Governing the Medical Assistance Program.

Idaho Human Rights Commission

Docket No. **45-0101-0201**, Rules of the Idaho Human Rights Commission.

Department of Environmental Quality

Docket No. **58-0103-0201**, Individual/Subsurface Sewage Disposal Rules.

Docket No. **58-0108-0102**, Idaho Rules for Public Drinking Water Systems.

Please refer to the Idaho Administrative Bulletin, **July 3, 2002, Volume 02-7** for notices and text of all rulemakings, public hearing schedules, Governor's executive orders, and agency contact names.

Citizens of your county can view all issues of the Idaho Administrative Bulletin at the county law libraries.

Copies of the Administrative Bulletin and other rules publications are available for purchase. For subscription

information and ordering call (208) 332-1820 or write the Office of Administrative Rules, Department of Administration, 650 W. State St., Room 100, Boise, Idaho 83720-0306. Visa and Mastercard accepted.

The Idaho Administrative Bulletin and Administrative Code are available on-line at: **<http://www2.state.id.us/adm/adminrules/>**